

House Study Bill 181

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
ENVIRONMENTAL PROTECTION
BILL BY CHAIRPERSON GREINER)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to reimbursement to owners of aboveground
2 petroleum storage tanks for costs associated with the upgrade
3 or permanent closure of aboveground petroleum storage tanks.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 1051HC 81
6 tm/cf/24

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1 1 Section 1. Section 455G.23, subsection 2, paragraphs d and
1 2 e, Code 2005, are amended to read as follows:
1 3 d. Upgrade expenses must be incurred after January 1,
1 4 2004, and not later than ~~February 18~~ December 31, 2005.
1 5 Upgrade activities are limited to the installation or
1 6 improvement of equipment or systems required to comply with 40
1 7 C.F.R. } 112, specifically:
1 8 (1) Secondary containment.
1 9 (2) Corrosion protection.
1 10 (3) Loss prevention.
1 11 (4) Security.
1 12 (5) Drainage.
1 13 (6) Removal of noncompliant tanks.
1 14 e. Permanent closure activities, including tank system
1 15 removal, decommission, and disposal, must occur after January
1 16 1, 2004, and not later than ~~February 18~~ December 31, 2005,
1 17 unless the owner is a party to an agreement entered into
1 18 pursuant to subsection 3 and the tanks meet one of the
1 19 following criteria:
1 20 (1) All tanks are empty by ~~February 18~~ December 31, 2005.
1 21 (2) All tanks containing petroleum on or after ~~February 18~~
1 22 December 31, 2005, meet the requirements of 40 C.F.R. } 112 et
1 23 seq. and any applicable provisions of chapter 101 and the
1 24 administrative rules adopted pursuant to chapter 101.

EXPLANATION

1 26 This bill relates to reimbursement to owners of aboveground
1 27 petroleum storage tanks for costs associated with the upgrade
1 28 or permanent closure of aboveground petroleum storage tanks.
1 29 Currently, a tank owner may receive reimbursement if the
1 30 tank site was registered with the state fire marshal by
1 31 January 1, 2004, the tank contains petroleum, and certain
1 32 other time-sensitive criteria are met. The time-sensitive
1 33 criteria include that upgrade expenses must be incurred by
1 34 February 18, 2005, permanent closure activities must occur by
1 35 February 18, 2005, tanks must be empty by February 18, 2005,
2 1 and tanks must meet certain federal and state requirements by
2 2 February 18, 2005. The bill changes the February 18, 2005,
2 3 date to December 31, 2005, in each case.
2 4 LSB 1051HC 81
2 5 tm:nh/cf/24